

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

USA,

Plaintiff,

v.

RYAN KELLY CHAMBERLAIN,

Defendant.

Case No. [14-cr-00316-VC-1](#)

**DENYING MOTION TO REVOKE
DETENTION ORDER AND SETTING
FURTHER STATUS CONFERENCE**

The motion to revoke the detention order is denied.

The motion is based in part on allegations that Chamberlain does not receive adequate medical attention where he is currently detained. However, even if these allegations are true, the Court is limited in its consideration of this motion to two issues: whether the government has presented clear and convincing evidence that Chamberlain would pose a danger to the community if released, and whether the government has established by a clear preponderance of the evidence that there is a serious risk Chamberlain would flee if released. *See generally* 18 U.S.C. § 3142.

For the reasons stated in Judge Cousins' detention order, there is clear and convincing evidence Chamberlain would pose a danger to the community if released. Chamberlain now argues that any such danger would be mitigated by his agreement, as a condition of his release, to be housed as an inpatient in an unspecified psychiatric facility not controlled by the Department of Justice. However, there is no basis for concluding that his placement in such a facility (whose security safeguards are unknown and whose power to hold patients against their will is extremely limited) would protect the community from the danger Chamberlain would otherwise pose.

A further status conference is scheduled for Monday, August 11, 2014 at 2:00 p.m. The period between the hearing on the motion to revoke the detention order and the August 11 status

conference is excluded in computing the time within which the trial must commence under the Speedy Trial Act. This exclusion serves the ends of justice because defense counsel's need to effectively prepare by receiving and analyzing discovery from the government outweighs the interest of the defendant and the public in a speedy trial.

IT IS SO ORDERED.

Dated: July 21, 2014



VINCE CHHABRIA
United States District Judge

United States District Court
Northern District of California